

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

ANNAMARIA OGECHI ADAKA

Registered Nurse License Applicant

Respondent

Case No. 2012 – 621

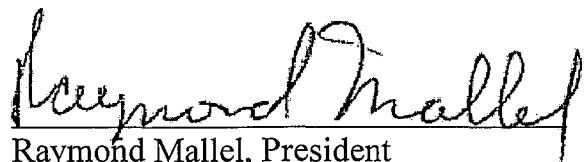
OAH No. 2012050117

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on **January 11, 2013**.

IT IS SO ORDERED **December 12, 2012**.



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 KATHERINE MESSANA
Deputy Attorney General
4 State Bar No. 272953
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2554
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Statement of Issues
11 Against:

12 **ANNAMARIA OGECHI ADAKA**

13 13701 Yukon Ave, Apt. 208
14 Hawthorne, CA 90250

15 Applicant for Registered Nurse License

16 Respondent.

Case No. 2012-621

OAH No. 2012050117

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18 In the interest of a prompt and speedy settlement of this matter, consistent with the public
19 interest and the responsibility of the Board of Registered Nursing of the Department of Consumer
20 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order
21 which will be submitted to the Board for approval and adoption as the final disposition of the
22 Statement of Issues.

23 **PARTIES**

24 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Executive Officer of the Board
25 of Registered Nursing. She brought this action solely in her official capacity and is represented in
26 this matter by Kamala D. Harris, Attorney General of the State of California, by Katherine
27 Messana, Deputy Attorney General.
28

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Statement of Issues No. 2012-621.

10. Respondent agrees that her Applicant for Registered Nurse License is subject to denial and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

1 14. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Board may, without further notice or formal proceeding, issue and enter the following
3 Disciplinary Order:

4 **DISCIPLINARY ORDER**

5 **IT IS HEREBY ORDERED**

6 The application of Respondent Annamaria Ogechi Adaka for licensure is hereby granted
7 and a license shall be issued to Respondent upon successful completion of all licensing
8 requirements. Said license shall immediately be revoked, the order of revocation stayed and
9 Respondent placed on probation for a period of one (1) year on the following conditions:

10 **Severability Clause.** Each condition of probation contained herein is a separate and distinct
11 condition. If any condition of this Order, or any application thereof, is declared unenforceable in
12 whole, in part, or to any extent, the remainder of this Order, and all other applications thereof,
13 shall not be affected. Each condition of this Order shall separately be valid and enforceable to the
14 fullest extent permitted by law.

15 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A full and
16 detailed account of any and all violations of law shall be reported by Respondent to the Board in
17 writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with
18 this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within
19 45 days of the effective date of the decision, unless previously submitted as part of the licensure
20 application process.

21 **Criminal Court Orders:** If Respondent is under criminal court orders, including
22 probation or parole, and the order is violated, this shall be deemed a violation of these probation
23 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

24 2. **Comply with the Board's Probation Program.** Respondent shall fully comply with
25 the conditions of the Probation Program established by the Board and cooperate with
26 representatives of the Board in its monitoring and investigation of the Respondent's compliance
27 with the Board's Probation Program. Respondent shall inform the Board in writing within no
28 more than 15 days of any address change and shall at all times maintain an active, current license

1 status with the Board, including during any period of suspension.

2 Upon successful completion of probation, Respondent's license shall be fully restored.

3 3. **Report in Person.** Respondent, during the period of probation, shall appear in
4 person at interviews/meetings as directed by the Board or its designated representatives.

5 4. **Residency, Practice, or Licensure Outside of State.** Periods of residency or
6 practice as a registered nurse outside of California shall not apply toward a reduction of this
7 probation time period. Respondent's probation is tolled, if and when she resides outside of
8 California. Respondent must provide written notice to the Board within 15 days of any change of
9 residency or practice outside the state, and within 30 days prior to re-establishing residency or
10 returning to practice in this state.

11 Respondent shall provide a list of all states and territories where she has ever been licensed
12 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
13 information regarding the status of each license and any changes in such license status during the
14 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
15 license during the term of probation.

16 5. **Submit Written Reports.** Respondent, during the period of probation, shall submit
17 or cause to be submitted such written reports/declarations and verification of actions under
18 penalty of perjury, as required by the Board. These reports/declarations shall contain statements
19 relative to Respondent's compliance with all the conditions of the Board's Probation Program.
20 Respondent shall immediately execute all release of information forms as may be required by the
21 Board or its representatives.

22 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
23 state and territory in which she has a registered nurse license.

24 6. **Function as a Registered Nurse.** Respondent, during the period of probation, shall
25 engage in the practice of registered nursing in California for a minimum of 24 hours per week for
26 6 consecutive months or as determined by the Board.

27 For purposes of compliance with the section, "engage in the practice of registered nursing"
28 may include, when approved by the Board, volunteer work as a registered nurse, or work in any

1 non-direct patient care position that requires licensure as a registered nurse.

2 The Board may require that advanced practice nurses engage in advanced practice nursing
3 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

4 If Respondent has not complied with this condition during the probationary term, and
5 Respondent has presented sufficient documentation of her good faith efforts to comply with this
6 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
7 extension of Respondent's probation period up to one year without further hearing in order to
8 comply with this condition. During the one year extension, all original conditions of probation
9 shall apply.

10 7. **Employment Approval and Reporting Requirements.** Respondent shall obtain
11 prior approval from the Board before commencing or continuing any employment, paid or
12 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
13 performance evaluations and other employment related reports as a registered nurse upon request
14 of the Board.

15 Respondent shall provide a copy of this Decision to her employer and immediate
16 supervisors prior to commencement of any nursing or other health care related employment.

17 In addition to the above, Respondent shall notify the Board in writing within seventy-two
18 (72) hours after she obtains any nursing or other health care related employment. Respondent
19 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
20 separated, regardless of cause, from any nursing, or other health care related employment with a
21 full explanation of the circumstances surrounding the termination or separation.

22 8. **Supervision.** Respondent shall obtain prior approval from the Board regarding
23 Respondent's level of supervision and/or collaboration before commencing or continuing any
24 employment as a registered nurse, or education and training that includes patient care.

25 Respondent shall practice only under the direct supervision of a registered nurse in good
26 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods
27 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are
28 approved.

Respondent's level of supervision and/or collaboration may include, but is not limited to the following:

(a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.

(b) Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours Respondent works.

(c) Minimum - The individual providing supervision and/or collaboration has person-to-person communication with Respondent at least twice during each shift worked.

(d) Home Health Care - If Respondent is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with Respondent as required by the Board each work day. Respondent shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by Respondent with or without Respondent present.

9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse, or for an in-house nursing pool.

Respondent shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Respondent shall not work in any other registered nursing occupation where home visits are required.

Respondent shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict Respondent from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Respondent shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

Respondent shall work only on a regularly assigned, identified and predetermined

1 worksite(s) and shall not work in a float capacity.

2 If Respondent is working or intends to work in excess of 40 hours per week, the Board may
3 request documentation to determine whether there should be restrictions on the hours of work.

4 **10. Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and
5 successfully complete a course(s) relevant to the practice of registered nursing no later than six
6 months prior to the end of her probationary term.

7 Respondent shall obtain prior approval from the Board before enrolling in the course(s).
8 Respondent shall submit to the Board the original transcripts or certificates of completion for the
9 above required course(s). The Board shall return the original documents to Respondent after
10 photocopying them for its records.

11 **11. Violation of Probation.** If Respondent violates the conditions of her probation, the
12 Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order
13 and impose the stayed discipline (revocation/suspension) of Respondent's license.

14 If during the period of probation, an accusation or petition to revoke probation has been
15 filed against Respondent's license or the Attorney General's Office has been requested to prepare
16 an accusation or petition to revoke probation against Respondent's license, the probationary
17 period shall automatically be extended and shall not expire until the accusation or petition has
18 been acted upon by the Board.

19 **12. License Surrender.** During Respondent's term of probation, if she ceases practicing
20 due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation,
21 Respondent may surrender her license to the Board. The Board reserves the right to evaluate
22 Respondent's request and to exercise its discretion whether to grant the request, or to take any
23 other action deemed appropriate and reasonable under the circumstances, without further hearing.
24 Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be
25 subject to the conditions of probation.

26 Surrender of Respondent's license shall be considered a disciplinary action and shall
27 become a part of Respondent's license history with the Board. A registered nurse whose license
28 has been surrendered may petition the Board for reinstatement no sooner than the following

1 minimum periods from the effective date of the disciplinary decision:

2 (1) Two years for reinstatement of a license that was surrendered for any reason other
3 than a mental or physical illness; or

4 (2) One year for a license surrendered for a mental or physical illness.

5 13. **Physical Examination.** Within 45 days of the effective date of this Decision,
6 Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician
7 assistant, who is approved by the Board before the assessment is performed, submit an
8 assessment of the Respondent's physical condition and capability to perform the duties of a
9 registered nurse, including a determination as set forth below in the condition titled "Rule-Out
10 Substance Abuse Assessment." Such an assessment shall be submitted in a format acceptable to
11 the Board. If medically determined, a recommended treatment program will be instituted and
12 followed by the Respondent with the physician, nurse practitioner, or physician assistant
13 providing written reports to the Board on forms provided by the Board.

14 If Respondent is determined to be unable to practice safely as a registered nurse, the
15 licensed physician, nurse practitioner, or physician assistant making this determination shall
16 immediately notify the Board and Respondent by telephone, and the Board shall request that the
17 Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall
18 immediately cease practice and shall not resume practice until notified by the Board. During this
19 period of suspension, Respondent shall not engage in any practice for which a license issued by
20 the Board is required until the Board has notified Respondent that a medical determination
21 permits Respondent to resume practice. This period of suspension will not apply to the reduction
22 of this probationary time period.

23 If Respondent fails to have the above assessment submitted to the Board within the 45-day
24 requirement, Respondent shall immediately cease practice and shall not resume practice until
25 notified by the Board. This period of suspension will not apply to the reduction of this
26 probationary time period. The Board may waive or postpone this suspension only if significant,
27 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
28 by Respondent to obtain the assessment, and a specific date for compliance must be provided.

1 Only one such waiver or extension may be permitted.

2 14. **Mental Health Examination.** Respondent shall, within 45 days of the effective date
3 of this Decision, have a mental health examination including psychological testing as appropriate
4 to determine her capability to perform the duties of a registered nurse, including a determination
5 as set forth below in the condition titled "Rule-Out Substance Abuse Assessment." The
6 examination will be performed by a psychiatrist, psychologist or other licensed mental health
7 practitioner approved by the Board. The examining mental health practitioner will submit a
8 written report of that assessment and recommendations to the Board. All costs are the
9 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
10 result of the mental health examination will be instituted and followed by Respondent.

11 If Respondent is determined to be unable to practice safely as a registered nurse, the
12 licensed mental health care practitioner making this determination shall immediately notify the
13 Board and Respondent by telephone, and the Board shall request that the Attorney General's
14 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
15 practice and may not resume practice until notified by the Board. During this period of
16 suspension, Respondent shall not engage in any practice for which a license issued by the Board
17 is required, until the Board has notified Respondent that a mental health determination permits
18 Respondent to resume practice. This period of suspension will not apply to the reduction of this
19 probationary time period.

20 If Respondent fails to have the above assessment submitted to the Board within the 45-day
21 requirement, Respondent shall immediately cease practice and shall not resume practice until
22 notified by the Board. This period of suspension will not apply to the reduction of this
23 probationary time period. The Board may waive or postpone this suspension only if significant,
24 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
25 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
26 Only one such waiver or extension may be permitted.

27 15. **Rule-Out Substance Abuse Assessment.** If the examiner conducting the physical
28 and/or mental health examination determines that the respondent is dependent upon drugs or

1 alcohol, or has had problems with drugs or alcohol (i.e. drug dependence in remission or alcohol
2 dependence in remission), that might reasonably affect the safe practice of nursing, then the
3 Respondent must comply with paragraphs 1 through 12 for three (3) years and must also comply
4 with the following additional terms and conditions of probation for a period of three (3) years:

5 **A. Participate in Treatment/Rehabilitation Program for Chemical**
6 **Dependence.** Respondent, at her expense, shall successfully complete during the
7 probationary period or shall have successfully completed prior to commencement
8 of probation a Board-approved treatment/rehabilitation program of at least six
9 months duration. As required, reports shall be submitted by the program on forms
10 provided by the Board. If Respondent has not completed a Board-approved
11 treatment/rehabilitation program prior to commencement of probation,
12 Respondent, within 45 days from the effective date of the decision, shall be
13 enrolled in a program. If a program is not successfully completed within the first
14 nine months of probation, the Board shall consider Respondent in violation of
15 probation.

16 Based on Board recommendation, each week Respondent shall be required
17 to attend at least one, but no more than five 12-step recovery meetings or
18 equivalent (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse
19 support group as approved and directed by the Board. If a nurse support group is
20 not available, an additional 12-step meeting or equivalent shall be added.
21 Respondent shall submit dated and signed documentation confirming such
22 attendance to the Board during the entire period of probation. Respondent shall
23 continue with the recovery plan recommended by the treatment/rehabilitation
24 program or a licensed mental health examiner and/or other ongoing recovery
25 groups.

26 **B. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent
27 shall completely abstain from the possession, injection or consumption by any
28 route of all controlled substances and all psychotropic (mood altering) drugs,

1 including alcohol, except when the same are ordered by a health care professional
2 legally authorized to do so as part of documented medical treatment. Respondent
3 shall have sent to the Board, in writing and within fourteen (14) days, by the
4 prescribing health professional, a report identifying the medication, dosage, the
5 date the medication was prescribed, the Respondent's prognosis, the date the
6 medication will no longer be required, and the effect on the recovery plan, if
7 appropriate.

8 Respondent shall identify for the Board a single physician, nurse
9 practitioner or physician assistant who shall be aware of Respondent's history of
10 substance abuse and will coordinate and monitor any prescriptions for Respondent
11 for dangerous drugs, controlled substances or mood-altering drugs. The
12 coordinating physician, nurse practitioner, or physician assistant shall report to the
13 Board on a quarterly basis Respondent's compliance with this condition. If any
14 substances considered addictive have been prescribed, the report shall identify a
15 program for the time limited use of any such substances.

16 The Board may require the single coordinating physician, nurse
17 practitioner, or physician assistant to be a specialist in addictive medicine, or to
18 consult with a specialist in addictive medicine.

19 **C. Submit to Tests and Samples.** Respondent, at her expense, shall
20 participate in a random, biological fluid testing or a drug screening program which
21 the Board approves. The length of time and frequency will be subject to approval
22 by the Board. Respondent is responsible for keeping the Board informed of
23 Respondent's current telephone number at all times. Respondent shall also ensure
24 that messages may be left at the telephone number when she is not available and
25 ensure that reports are submitted directly by the testing agency to the Board, as
26 directed. Any confirmed positive finding shall be reported immediately to the
27 Board by the program and Respondent shall be considered in violation of
28 probation.

1 In addition, Respondent, at any time during the period of probation, shall
2 fully cooperate with the Board or any of its representatives, and shall, when
3 requested, submit to such tests and samples as the Board or its representatives may
4 require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other
5 controlled substances.

6 If Respondent has a positive drug screen for any substance not legally
7 authorized and not reported to the coordinating physician, nurse practitioner, or
8 physician assistant, and the Board files a petition to revoke probation or an
9 accusation, the Board may suspend Respondent from practice pending the final
10 decision on the petition to revoke probation or the accusation. This period of
11 suspension will not apply to the reduction of this probationary time period.

12 If Respondent fails to participate in a random, biological fluid testing or
13 drug screening program within the specified time frame, Respondent shall
14 immediately cease practice and shall not resume practice until notified by the
15 Board. After taking into account documented evidence of mitigation, if the Board
16 files a petition to revoke probation or an accusation, the Board may suspend
17 Respondent from practice pending the final decision on the petition to revoke
18 probation or the accusation. This period of suspension will not apply to the
19 reduction of this probationary time period.

20 **D. Therapy or Counseling Program.** Respondent, at her expense, shall
21 participate in an on-going counseling program until such time as the Board
22 releases her from this requirement and only upon the recommendation of the
23 counselor. Written progress reports from the counselor will be required at various
24 intervals.

25 ///

26 ///

27 ///

28 ///

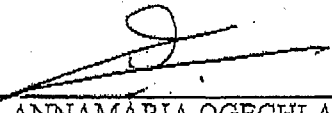
RECEIVED

By malvarad at 9:35 am, 9/20/12

ACCEPTANCE

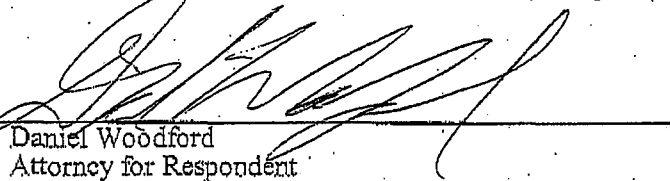
I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Daniel Woodford. I understand the stipulation and the effect it will have on my Applicant for Registered Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 9/20/12


ANNAMARIA OGECHI ADAKA
Respondent

I have read and fully discussed with Respondent Annamaria Ogechi Adaka the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 9/20/12


Daniel Woodford
Attorney for RespondentENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 9/20/12

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
GLORIA A. BARRIOS
Supervising Deputy Attorney General


KATHERINE MESSANA
Deputy Attorney General
Attorneys for Complainant

LA2012506370
51165343.doc

Exhibit A

Statement of Issues Case No. 2012-621

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 KATHERINE MESSANA
Deputy Attorney General
4 State Bar No. 272953
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2554
6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues
12 Against:

13 **ANNAMARIA OGECHI ADAKA**

14 Applicant for Registered Nurse License

15 Respondent.

Case No. **2012-621**

STATEMENT OF ISSUES

16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Statement of Issues solely
19 in her official capacity as the Interim Executive Officer of the Board of Registered Nursing,
20 Department of Consumer Affairs.

21 2. On or about April 27, 2011, the Board of Registered Nursing, Department of
22 Consumer Affairs received an application for Endorsement as a Registered Nurse from
23 Annamaria Ogechi Adaka ("Respondent"). On or about April 24, 2011, Annamaria Ogechi
24 Adaka certified under penalty of perjury to the truthfulness of all statements, answers, and
25 representations in the application. The Board denied the application on December 21, 2011.

26 ///

27 ///

28 ///

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

- 2
- 3
- 4

5

6

8

9

0
1
2

3

4

7

8

9

0
1
2

3
4
5
6
7

1 a. Respondent submitted an application to the Indiana Board to renew her license as a
2 nurse.

3 b. Along with her application, Respondent revealed that she has had several
4 terminations of employment over her career due to her making errors in medication
5 administration and documentation.

6 c. The Indiana Board noted that some of her former employers consider her to be a hard
7 worker and that Respondent feels her shortcomings result from communication problems.
8 Respondent is from Nigeria and English is not her native language.

9 8. On or about November 10, 2010, the Indiana Board made findings of fact,
10 conclusions of law and entered an order ("Order") in the disciplinary action entitled, *In the Matter*
11 *of the License of: Annamaria Adaka*, Case No. 2009 NB 0268. The circumstances underlying the
12 Order are as follows:

13 a. The Indiana Board renewed Respondent's license on probation in December 2009
14 because she had been terminated by several employers over the years for making errors in
15 medication administration and documentation.

16 b. Respondent asked the Indiana Board that the probation on her license be withdrawn
17 in September 2010.

18 c. Pursuant to the Order, the Indiana Board withdrew the probation on Respondent's
19 license.

20 **SECOND CAUSE FOR DENIAL OF APPLICATION**

21 **(Unprofessional Conduct)**

22 9. Respondent's application is subject to denial under section 2761, subdivision (a) on
23 the grounds of unprofessional conduct in that Respondent was terminated several times over her
24 career due to her making errors in medication administration and documentation. The conduct is
25 described in more particularity in paragraphs 6 through 8, above, inclusive and herein
26 incorporated by reference.

27 ///

28 ///

1 **THIRD CAUSE FOR DENIAL OF APPLICATION**

2 **(Act Constituting Grounds for Discipline of Licensee)**

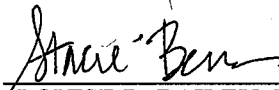
3 10. Respondent's application is subject to denial under section 480, subdivision (a)(3) and
4 section 2761, subdivision (a) in that Respondent committed unprofessional conduct which is an
5 act constituting grounds for discipline of a licensee. The conduct is described in more
6 particularity in paragraphs 6 through 9, above, inclusive and herein incorporated by reference.

7 **PRAYER**

8 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
9 and that following the hearing, the Board of Registered Nursing issue a decision:

- 10 1. Denying the application of Annamaria Ogechi Adaka for a Applicant for Registered
11 Nurse License;
12 2. Taking such other and further action as deemed necessary and proper.

13 DATED: April 12, 2012

14 
15 for LOUISE R. BAILEY, M.ED., RN
16 Interim Executive Officer
17 Board of Registered Nursing
18 Department of Consumer Affairs
19 State of California
20 Complainant
21
22
23
24
25
26
27
28

LA2012506370
51091255.doc